

Attorney Docket No. 5577-230
Application Serial No. 09/833,925
Filed: April 12, 2001
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REMARKS

Applicants appreciate the further examination provided by the Final Office Action of November 16, 2005. As the rejections appear to be identical to the rejections in the previous Office Action of July 7, 2005, Applicants will limit the present response to addressing the "Response to Amendment" section of the Final Office Action. However, the entire relevant contents of Applicants' Amendment of October 3, 2005 (hereinafter "Applicants' previous Amendment") is hereby incorporated herein by reference as if set forth in its entirety. Applicants maintain that the pending claims are patentable over the cited reference for at least the reasons discussed herein and in Applicants' previous Amendment and, therefore, respectfully request that the Examiner withdraw the rejections with respect thereto.

Response to Amendment

The Final Office Action states:

Applicants' argument regarding "Abjanic does not disclose a subset of servers" is disagreed with. Abjanic teaches "the configuration patterns may be dynamically changed or updated by a user or by a program or application...a program may detect the failure of one or more servers and/or detect the response time of servers... the available servers"

See Final Office Action, page 11 (emphasis in original). Applicants respectfully submit that Applicants' argument is misstated in the Final Office Action. Applicants are not disputing that redirecting traffic from one or more servers to one or more other servers is known. However, Claim 1 recites "selecting one of a subset of the destination servers if the application layer information associated with each of the plurality of requests is relevant application layer information and selecting a destination server other than a destination server in the subset of the destination servers if the application layer information associated with each of the plurality of requests is not relevant application layer information." Thus, according to some embodiments of the present invention, the determination of where to direct the traffic is made based on the presence or absence of relevant application layer information. Furthermore, a subset of servers may be set aside for handling requests including relevant application layer information. Nothing in the cited portion of Abjanic discloses or suggests these recitations of

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Claim 1 for at least these reasons.

The Office Action further states:

Applicants' argument regarding "Abjanic does not disclose a specific subset of servers that have been set aside to process requests having an indication of high priority" is disagreed with. Abjanic teaches "directing to the specific server as indicated by the configuration pattern... direct the message based on the first match... or a load balancing policy can be used to balance messages... if there's no match, the message can be directed to a default server"

See Final Office Action, pages 11- 12 (emphasis in the original). Applicants respectfully disagree. The portion of Abjanic being referred to in the Final Office Action states, in full:

At block 225, if there is a match between the content of the application data (e.g., the business transaction information which may be provided as XML data) of a message and a configuration pattern or query, then the director 145 directs or switches the message to the corresponding server (or processing node) in the data center (e.g., directed to the specific server as indicated by the configuration pattern). If there are multiple matches, the director 145 can just direct the message based to the first match, or a load balancing policy can be used to balance messages among a group of servers. If there is no match, the message can be directed to a default server or can be blocked. Alternatively, the configuration pattern can also identify a certain pattern for which a message should be blocked from being forwarded. In this respect, the director 145 may also act as a filter to selectively pass or forward some messages while blocking others, based upon the application data.

See Abjanic, column 6, line 63 to column 7, line 12. In other words, Abjanic discusses using matches between content and configuration patterns to select a processing node or server in a data center. The cited portion of Abjanic also discusses load balancing among a group of servers, *i.e.* sending the message to the server that is least busy. However, nothing in the cited portion of Abjanic discloses or suggests a specific subset of servers that have been set aside to process requests having an indication of high priority.

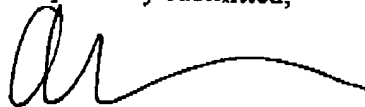
Accordingly, for at least the reasons discussed herein and in Applicants' previous Amendment, Applicants submit that the pending claims are patentable over the cited references. Applicants respectfully request favorable reconsideration and allowance of the pending claims.

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CONCLUSION

Applicants respectfully submit that pending claims are in condition for allowance for at least the reasons discussed above. Thus, allowance of the pending claims is respectfully requested in due course. Favorable examination and allowance of the present application is respectfully requested.

Respectfully submitted,



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